

REMARKS

Claims 1, 4-23, 53, 56-63, 65-81 and 120-125 are currently pending. Claims 15, 23, 69 and 79 are allowed and claims 1, 4-14, 16-22, 53, 56-63, 65-68, 70-78, 80-81 and 120-125 stand rejected. Claims 1, 4-14, 16-22, 53, 56-63, 65-68, 70-78, 80-81 and 120-125 are cancelled herein.

Office Action Status

The Office has deemed the October 27, 2003 action as a final action. Notably, the October 27, 2003 action is identical in all substantive aspects as the non-final action issued by the Office on September 1, 2000.

Election/Restriction

The Applicants note that the Office has, upon further consideration, decided to examine claims 16-23, 53-81 and 120 together with Group I (claims 1-15).

Rejections Under 35 U.S.C. § 103(a)

Claims 1, 4-6, 8, 11, 13, 14, 16-19, 21, 22, 53-58, 60, 63, 65-68, 70, 72-75, 77, 78, 80 and 120-122 stand rejected under 35 U.S.C. § 103(a) as purportedly obvious over Lou et al. in view of Maggio et al. As claims 1, 4-6, 8, 11, 13, 14, 16-19, 21, 22, 53-58, 60, 63, 65-68, 70, 72-75, 77, 78, 80 and 120-122 are cancelled herein, this rejection is rendered moot. Withdrawal is respectfully requested.

Claims 7, 20, 59 and 76 stand rejected under 35 U.S.C. § 103(a) as purportedly obvious over Lou et al. in view of Maggio et al., and further in view of Weng et al. As claims 7, 20, 59 and 76 are cancelled herein, this rejection is rendered moot. Withdrawal is respectfully requested.

Claims 71 and 81 stand rejected under 35 U.S.C. § 103(a) as purportedly obvious over Lou et al. in view of Maggio et al., and further in view of Kang et al. As claims 71 and 81 are cancelled herein, this rejection is rendered moot. Withdrawal is respectfully requested.

Claims 9 and 61 stand rejected under 35 U.S.C. § 103(a) as purportedly obvious over Lou et al. in view of Maggio et al., and further in view of Katz et al. As claims 9 and 61 are cancelled herein, this rejection is rendered moot. Withdrawal is respectfully requested.

Claims 12, 64 and 123 stand rejected under 35 U.S.C. § 103(a) as purportedly obvious over Lou et al. in view of Maggio et al., and further in view of Bunting. As claims 12, 64 and 123 are cancelled herein, this rejection is rendered moot. Withdrawal is respectfully requested.

Claims 10 and 62 stand rejected under 35 U.S.C. § 103(a) as purportedly obvious over Lou et al. in view of Maggio et al., and further in view of Eisinger et al. As claims 10 and 62 are cancelled herein, this rejection is rendered moot. Withdrawal is respectfully requested.

Rejection Under 35 U.S.C. § 102

Claims 124 and 125 stand rejected under 35 U.S.C. § 102(b) as purportedly anticipated by Lou et al. As claims 124 and 125 are cancelled herein, this rejection is rendered moot. Withdrawal is respectfully requested.

Allowable Subject Matter

The Applicants note, with appreciation, the indication of allowable subject matter in claims 15, 23, 69 and 79.

Drawings

The Applicants note that upon allowance of the application, formal drawings will be required.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket No. 273102007800.

Dated: January 27, 2004

Respectfully submitted,

By 

David L. Devernoe

Registration No.: 50,128
MORRISON & FOERSTER LLP
3811 Valley Centre, Suite 500
San Diego, California 92130
(858) 720-5100
Attorneys for Applicant